

REMARKS

The Examiner stated that claims 6 and 7 would be allowable if rewritten in independent form to include the features of the base claim and any intervening claims. Claim 6 has been rewritten in independent form to include the feature of base claim 1. Claim 7 depends on claim 6 and is also allowable.

Claims 1-3, 11-13 and 25-27 are rejected under 35 U.S.C. 103(a) as being obvious over Powell (U.S. Patent No. 5,255,529) in view of Lorentzen. The Examiner states that Powell discloses a refrigeration system including temperature sensors 74a, 74b and 76 to control a variable speed fan that blows air over a heat accepting heat exchanger. The Examiner states that Lorentzen discloses a transcritical refrigeration system, and Applicant's claimed invention is obvious in view of Powell and Lorentzen. Applicant respectfully disagrees.

Powell does not disclose a vapor compression system including a temperature sensor that senses a temperature of outdoor air and a drive that adjusts a variable airflow speed based on the outdoor air temperature. Powell discloses a vapor compression system including sensors 74a and 74b that sense a temperature of air recirculated in a vehicle compartment 62 and a sensor 76 that senses the temperature of ambient air (column 5, lines 64 to 68 and Figure 2). A controller 60 generally establishes the speed of an evaporator fan 58 as a function of the difference between a temperature set by a vehicle user and the temperature of the recirculated air measured by the sensors 74a and 74b to determine an error signal. In Powell, the speed of the evaporator fan 58 is not determined based on the temperature of the ambient air detected by the sensor 76, but rather is based on the temperature of the air recirculated in the vehicle compartments 62 that is detected by the sensors 74a and 74b. Neither reference teaches a vapor compression system wherein a speed of the air flowing over the heat accepting heat exchanger is based on the outdoor air temperature. Therefore, even if Lorentzen is combined with Powell, the references do not teach, suggest or disclose the claimed invention. Applicant respectfully requests that the rejection be withdrawn.

Claims 1-3, 11-13, 25 and 26 are rejected under 35 U.S.C. 103(a) as being obvious over Marsteller (U.S. Patent No. 3,410,105) in view of Lorentzen. The Examiner states that Marsteller discloses a refrigeration system which uses an air temperature to control a variable speed fan which blows air over a heat accepting heat exchanger. The Examiner states that Lorentzen discloses a transcritical refrigeration system, and Applicant's claimed invention is obvious in view of Marsteller and Lorentzen. Applicant respectfully disagrees.

Marsteller does not disclose a vapor compression system including temperature sensor that senses a temperature of outdoor air and a drive that adjusts a variable airflow speed of the air over a heat accepting heat exchanger based on the outdoor air temperature. In Marsteller, a sensing bulb 43 senses air drawn into an inlet 17 of a blower scroll 31 (column 3, lines 23 to 25). However, Marsteller does not disclose that the air is outdoor air as claimed. Neither reference teaches a vapor compression system wherein a speed of the air flowing over the heat accepting heat exchanger is based on the outdoor air temperature. Therefore, even if Lorentzen is combined with Marsteller, the references do not teach, suggest or disclose the claimed invention. Applicant respectfully requests that the rejection be withdrawn.

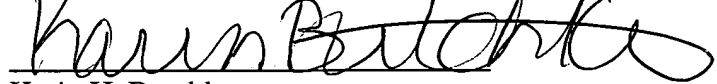
Claims 1-3, 11-13 and 25-27 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Bartlett (U.S. Patent No. 5,694,783) in view of Lorentzen. The Examiner states that Bartlett discloses a refrigeration system which uses an air temperature to control a variable speed fan which blows air over a heat accepting heat exchanger. The Examiner states that Lorentzen discloses a transcritical refrigeration system, and Applicant's claimed invention is obvious in view of Bartlett and Lorentzen. Applicant respectfully disagrees.

Bartlett does not disclose a vapor compression system including a temperature sensor that senses a temperature of outdoor air and a drive that adjusts a variable airflow speed based on the outdoor air temperature. Bartlett discloses a vapor compression system including a control 18 that controls a supply of heating current to a winding 17 surrounding an orifice tube 12 to heat the refrigerant within the tube 12 to prevent ice from forming in the evaporator 13. The control 18 operates in response to signals from a pressure sensor 19, and alternately in response to an inlet air temperature sensor 20 that senses the temperature of the air to be cooled by the evaporator 13 and a speed sensor 21 connected to an electric motor 22 which drives a fan 23 that blows the air to be cooled by the evaporator 13. However, the speed of the fan 23 is not based on the inlet air temperature that is sensed by the sensor 20. Instead, the inlet air temperature sensed by the sensor 20 is sent to the control 18 to control an amount of heat provided to the windings 17 to heat the refrigerant and prevent the formation of ice in the evaporator 13. Neither reference teaches a vapor compression system wherein a speed of the air flowing over the heat accepting heat exchanger is based on the outdoor air temperature. Therefore, even if Lorentzen is combined with Bartlett, the references do not teach, suggest or disclose the claimed invention. Applicant respectfully requests that the rejection be withdrawn.

Thus, claims 1-3, 6-13, 25 and 26 are in condition for allowance. No additional fees are seen to be required. If any additional fees are due, however, the Commissioner is authorized to charge Deposit Account No. 50-1482, in the name of Carlson, Gaskey & Olds, P.C., for any additional fees or credit the account for any overpayment. Therefore, favorable reconsideration and allowance of this application is respectfully requested.

Respectfully Submitted,

CARLSON, GASKEY & OLDS, P.C.



Karin H. Butchko

Registration No. 45,864

400 West Maple Road, Suite 350

Birmingham, Michigan 48009

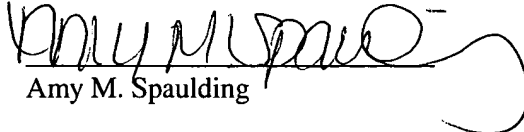
Telephone: (248) 988-8360

Facsimile: (248) 988-8363

Dated: January 25, 2005

CERTIFICATE OF MAILING

I hereby certify that the attached response is being deposited with the U.S. Postal Service as First Class Mailing, postage prepaid, in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on January 25, 2005.



Amy M. Spaulding